

**(September 12, 2016) Public Hearing Minutes**  
**Steamboat Lake Water & Sanitation District Public Hearing**  
**9-12-16**

Meeting called to order at 6:09pm at the North Routt Community Charter School  
by Jim Finegan.

**Members present:**

1. Jim Finegan 2. Jim Standish  
3. Jim Hillman 4. Steve Johnson

Elizabeth Roble, SLWSD Legal Counsel  
Jackie Johnson, SLWSD Admin Asst.

**Members absent:**

None

**Others present:**

1. Lanny Mack 2. Lee Emery  
3. Robert Hagert

**Agenda:**

Public Hearing regarding 9 applicants requesting exclusion from Steamboat Lake Water and Sanitation District.

**Open Issues:**

Board president Jim Finegan called the meeting to order at 6:09pm, Board member and staff introductions were made. Per Jim F.: "Tonight the Board is holding its second public hearing for the purpose of considering several requests from property owners, asking that their properties be excluded from the Steamboat Lake Water and Sanitation District. The Board has approved some preliminary application procedures and will be considering these requests under the criteria that have been established by the State of Colorado.

We have worked diligently with our attorneys and staff to develop what we hope will be an efficient review process, to allow us to reach decisions where we have sufficient information. We appreciate your patience and understanding that tonight's hearings are the first ones for us and we will be proceeding cautiously to try to be sure that everyone's interests are considered and to be sure we follow the guidelines set by the Colorado state legislature.

I will be announcing the names of the applicants for each request that we are considering tonight; asking for a brief summary from our staff, and; providing an opportunity for the applicant and for interested parties to provide information to us for the record, and; then looking to the Board for appropriate action. At that point, the Board will discuss the application and it may

request more information, may continue the hearing on the application to another date, may go into executive/private session for consideration of legal issues, or may take some preliminary action on the application.

Please note that this proceeding is being recorded and minutes will be available.

- 1-1. The Public Hearing is being started **for Sharon Ashburn & Michael Zinker.**
- 1-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information: Lot 1 (parcel #24040001) Aspen Court Subdivision, Filing 5, 15.63 acres. Annual tax is \$145.21. Property is developed.
- 1-3. Applicants are not present.
- 1-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, no supporters came forth.
- 1-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 1-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 145.21. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim F. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim H. seconds the motion, four approve, motion carried.

2-1. The Public Hearing is being started for **Bola Enterprises, Inc./Robert K. Hagerty**.

2-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:

SUBDIVISION	LOT #	FILING	LOT SIZE	ANNUAL TAX
	23	7	.09 Acre	\$0.07
	24	7	.10 Acre	\$0.07
	25	7	.10 Acre	\$0.07
	26	7	.17 Acre	\$0.07
	27	7	.14 Acre	\$0.07
	28	7	.13 Acre	\$3.06
	29	7	.14 Acre	\$0.07
	30	7	.09 Acre	\$0.07
	31	7	.09 Acre	\$0.07
	32	7	.09 Acre	\$0.07
	33	7	.09 Acre	\$0.07
	37	7	.10 Acre	\$0.07
	38	7	.10 Acre	\$0.07
	39	7	.10 Acre	\$0.07
	40	7	.10 Acre	\$0.07
Aspen Heights	1	6	5.02 Acres	\$1.87
Aspen Heights	Outlot A	6	5.64 Acres	\$2.07
Elkhorn	18	5	5.01 Acres	\$0.27
Elkhorn	19	5	5.01 Acres	\$0.27

All lots are vacant. Current amount of total annual tax is \$11.51.

2-3. Applicant is present and speaks to the nature of the properties listed in this application.

2-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.

2-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.

2-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 11.51. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim H. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim F. seconds the motion, four approve, motion carried.

3-1. The Public Hearing is being started for **Double Y Properties, LLC/Robert Hagerty**.

3-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:

SUBDIVISION	LOT #	FILING	LOT SIZE	ANNUAL TAX
	47	5	.36 Acre	\$0.07
	48	5	.37 Acre	\$0.07
	50	5	.38 Acre	\$7.33
	102	5	1.4 Acre	\$0.07
	103	5	1.11 Acre	\$13.12

	106	5	.59 Acre	\$0.07
	156	5	.31 Acre	\$0.07
	209	5	.97 Acre	\$0.07
	211	5	.97 Acre	\$0.07
	212	5	1.08 Acre	\$0.07
	224	5	.28 Acre	\$0.07
	225	5	.23 Acre	\$7.33
	226	5	.27 Acre	\$0.07
	227	5	.29 Acre	\$0.07
	228	5	.26 Acre	\$0.07
	229	5	.29 Acre	\$0.07
	233	5	.26 Acre	\$0.07
	234	5	.25 Acre	\$0.07
	239	5	.26 Acre	\$0.07
	125	7	.35 Acre	\$0.13
	194	7	.33 Acre	\$7.33
	195	7	.27 Acre	\$7.33
	203	7	.25 Acre	\$0.07
	204	7	.31 Acre	\$0.07
	205	7	.36 Acre	\$0.07
	216	7	.44 Acre	\$0.07
	217	7	.26 Acre	\$0.07
	219	7	.33 Acre	\$0.07
	220	7	.38 Acre	\$0.07
	221	7	.34 Acre	\$0.07
	5	8	.06 Acre	\$0.07
	6	8	.06 Acre	\$0.07
	7	8	.06 Acre	\$0.07
	8	8	.06 Acre	\$0.07
	9	8	.06 Acre	\$0.07
	41	8	.07 Acre	\$0.07
	42	8	.07 Acre	\$0.07
	43	8	.09 Acre	\$0.07
	44	8	.07 Acre	\$0.07
	45	8	.07 Acre	\$0.07
	46	8	.01 Acre	\$0.07
	47	8	.11 Acre	\$0.07
	48	8	.10 Acre	\$1.73
	Parcel C	5	.36 Acre	\$0.07
	Parcel D	5	.24 Acre	\$0.07
Elkhorn	Outlot A	4	20.53 Acres	\$1.47
Elkhorn	Outlot E	2	.36 Acre	\$0.07
Elkhorn	Outlot G	5	1.92 Acres	\$0.07
	Parcels D & E	8	2.57 Acres	\$0.07
Aspen Heights	Parcel East G	2	.62 Acre	\$0.07
Aspen Heights	Outlot F	6	1.39 Acres	\$0.53
Aspen Heights	Outlot 193	7	.20 Acre	\$0.07

Grand total of lots to be excluded is \$49.31.

3-3. Applicant is present and speaks to the nature of the properties listed in this application.

- 3-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 3-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 3-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 49.31. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim F. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim H. seconds the motion, four approve, motion carried.

- 4-1. The Public Hearing is being started for **William F. McKinley & Kathleen P. McKinley**.
- 4-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information: Lot 5 Parkside subdivision Filing 6; 5.01 acres with annual tax of \$0.40, vacant lot.
- 4-3. Applicant is not present.
- 4-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 4-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 4-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 0.40. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim H. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim S. seconds the motion, four approve, motion carried.

5-1. The Public Hearing is being started for **Northlake Properties, LLC/Lee Emery**.

5-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:

SUBDIVISION	LOT #	FILING	LOT SIZE	ANNUAL TAX
Aspen Heights	3	7	5.27 Acres	\$0.07
Aspen Heights	4	7	5.06 Acres	\$0.07
Elkhorn	9	8	5.02 Acres	\$0.40
Elkhorn	11	8	5.01 Acres	\$0.40
Elkhorn	12	8	5.52 Acres	\$0.40
Elkhorn	13	8	5.01 Acres	\$0.40

Total annual tax for these properties is \$1.74.

5-3. Applicant is present.

5-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.

5-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.

5-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.



**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 1.74. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Steve moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim S. seconds the motion, four approve, one opposed siting loss of revenue to the District, motion carried.

- 6-1. The Public Hearing is being started for **Jerald A. Stanford & Shelley M. Stanford**.
- 6-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:  
Lot 1 Aspen Heights subdivision filing 5, 5.52 acres, annual tax amount of \$381.61.
- 6-3. Applicant is not present.
- 6-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 6-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 6-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the

present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 381.61. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Steve moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim F. seconds the motion, four approve, motion carried.

- 7-1. The Public Hearing is being started for **Charlene Stees Living Trust, 5/17/91 and Charlene Stees.**

- 7-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:

SUBDIVISION	LOT #	FILING #	LOT SIZE	ANNUAL TAX
Parkside	1	6	5.04 Acres	\$0.07
Parkside	16	6	5.03 Acres	\$0.40
Parkside	17	6	5.01 Acres	\$0.40
Aspen Court	3		5.16 Acres	\$0.40

Information whether lots are vacant or developed is not provided. No total available.

- 7-3. Applicant is not present, no specific statements of support are submitted.
- 7-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 7-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.

- 7-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 1.27. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim S. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim H. seconds the motion, four approve, motion carried.

- 8-1. The Public Hearing is being started for **Patrick H. Walker & Penny S. Walker**.

- 8-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information:

Lot 2 Parkside subdivision filing 6, 5.03 acres, property is developed, annual tax amount of \$396.66.

- 8-3. Applicant is not present.
- 8-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 8-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 8-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 396.66. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim H. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim F. seconds the motion, four approve, motion carried.

- 9-1. The Public Hearing is being started for **Andrew B. Whittlesey**.
- 9-2. Elizabeth Roble, attorney for SLWSD, summarizes the application information: Lot 9 Parkside subdivision filing 6, 5.02 acres, annual tax amount of \$332.12; property is developed.
- 9-3. Applicant is not present.
- 9-4. When asked if any supporter of this application wish to speak or submit any documentation for the record, nothing further is submitted.
- 9-5. When asked if any opponents of the application wish to speak or submit any documentation for the record no opposition is noted.
- 9-6. When asked if anyone else wants to speak on the application or any other submittals for the record no further comments are submitted. President Jim F. closes the public hearing and turns to the Board for any questions that the Board members may have and to discuss the application.

Per C.R.S. 32-1-501(3)

The Board will make a motion based on the findings on these factors:

**A-1. The best interest of the (applicant's) property to be excluded is:**

The board's findings > To be excluded, because: District has no plan to provide service; development on well and septic would not harm District.

**A-2. The best interest of the District is:**

The board's findings > For the Property to be excluded, because: Property is remote from District services. \*An email from SLWSD engineer, Ron McLaughlin of Merrick & Company is referenced when discussing the District's best interest. Per Mr. McLaughlin: Filings 5, 6, 7, and 8 should be allowed to exclude from the District. These areas are not contiguous to the present service area and providing service to these Filings would be very costly. These Filings are also too remote from the District to receive benefit from the use of District water for fire protection.

**A-3. The best interest of the County is:**

The board's findings> For the Property to be excluded, because: County has determined that property does not need public services.

**B. Relative cost and benefit to the Property to be excluded from District:**

The board's findings> Benefit, slightly lower tax bill.

**C. Ability of the District to provide economical and sufficient service to the Property requesting exclusion; to all of the properties in the District:**

The board's findings> None to property at present, none in current District plans, would require major change; plan; financing.

**D. District ability to provide services at a reasonable cost compared to other entities' ability to provide such services:**

The board's findings> District is only entity with ability to provide, unless County finances/policies change.

**E. Effect of denying the petition on employment/other economic conditions in the District and surrounding area:**

The board's findings> Denial of the petition would continue the status quo; no effect anticipated.

**F. Economic impact (on District, surrounding area, state) if petition approved or denied:**

The board's findings> If approved, less tax revenue to District; possible increase in tax to other District lots

**G. Whether there is an economically feasible alternative service:**

The board's findings> No feasible alternative public service provider is known to be available.

**H. Additional cost to be levied on other property in the District if exclusion is granted:**

The board's findings> Annual tax loss if exclusion is \$ 332.12. (Cumulative cost is to be considered.)

**BASED UPON THESE FINDINGS**, and other points made in Board discussion, Jim S. moves that we direct our counsel to prepare an Order to **APPROVE** the Petitioner's request for exclusion for the designated property. Jim H. seconds the motion, four approve, motion carried.

KT Law will prepare the requested orders for exclusion for the Board to review and sign at the next regular meeting after final payments are received from petitioners. Jim F. closes the public hearing and the public expresses appreciation for this opportunity.

**Next Meeting:** Monday, September 26, 2016 at 6:00pm at North Routt Fire Station #2.

**Meeting adjourned at** 6:40pm **by** Jim Finegan

**Minutes recorded by Jackie Johnson**

**Board Minutes approved:** September 26, 2016